

REMARKS

These remarks follow the order of the paragraphs of the office action. Relevant portions of the office action are shown indented and italicized.

DETAILED ACTION

1) This is a Final rejection in response to claims and remarks filed 7/7/2006.

In response, the applicant respectfully request to **remove the FINAL status** of this action for the application, in as much as this rejection is apparently not based on any applicant action, and allowable matter is in the claims. It is difficult to conceive that the cited art indeed makes all the elements in all the claims obvious.

2) Claims 1-20 are pending and rejected.

3) Effective filing date: 3/28/03.

Claim Rejections - 35 USC § 103

4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4-1) Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr, et al (US 5895476, issued April 20, 1999).

In response, the applicant respectfully states that applicant takes continued exception with the alleged equivalencies of elements in claims 1-20, with Orr. Claims 1-19 are apparently not made obvious by Orr.

Applicants respectfully state that in reviewing the office communication it is apparent that although the Examiner rejects all the claims, the statements of the office communication actually

can be deemed to support the novelty of the present invention as claimed over Orr, the cited reference.

The rejections are apparently based primarily on statements, indicating that although Orr doesn't do (or allude to) the particular claim element, "it would be obvious" to do the particular claim element. Sometimes the clear words of the claim element are redefined in the office communication and construed such as to allegedly put it into a part of Orr and subsequently support a rejection.

Applicants believe that the "it is obvious" is a result of possible hindsight in an effort to form elements of the claims of the present invention that have no preexistence. In some claims, it is these elements that make the novelty. The Examiner is asked to support the "it is obvious" statements and the new way each claim is characterized and construed.

In general, the present invention, claimed in Claims 1-19, provides:

Digest screen display content deciding means selects display elements belonging to respective regions of a document based on display priorities of the display elements, which are obtained by digest screen display priority information creating means, and decides selected display elements as display content of a digest screen under a condition where a total display area does not exceed a required display area. A merging relationship among the regions is set based on layout information for the regions, created by digest screen region layout information creating means. Display content deciding means decides the display content of a detail screen based on the merging relationship among the regions, and creates a digest of the detail screen based on control information created by control information creating means. Moreover, digest screen display content changing means changes the display content of the digest screen in response to an operation of a user.

The cited art to Orr, US Patent 5895476, filed: September 9, 1996, is entitled: "Design engine for automatic reformatting for design and me". The abstract of Orr reads:

“A three-way separation of information in a document includes content, design and media aspects. This division supports automatic rendering to multiple forms of media such as print, Intranet, Internet, and OLE embedding. A method changes the design of a composition having a current design that is rendered in a particular medium. The composition is represented by components in a current design tree and includes content elements associated with the components. A new design tree is created for the composition based upon a new design and new design components. Next, each of the content elements are linked into an association with one of the new design components such that the set of relationships between the content elements in the context of the new design are maintained. Media layout values are calculated for each content element of the composition. The content elements are laid out in the new design and the new design retains the composition rendered in the particular medium. Another method changes the medium of a composition having a current design. A new media tree is created for the composition that is representative of a new medium and includes media tree components. Next, each of the content elements is associated with one of the media tree components such that each of the content elements is associated with a region of the new medium. Media layout values are calculated for each content element of the composition such that each of the media layout values for each content element defines one of the regions of the new medium.”

Thus, Orr is concerned with “automatic rendering to multiple forms of media such as print, Intranet, Internet, and OLE embedding.” Orr is not concerned with and does not allude to, “[D]igest screen display content deciding means” to select “display elements belonging to respective regions of a document based on display priorities of the display elements,” as in claims 1-19. Orr is directed to “A three-way separation of information in a document includes content, design and media aspects.” “This division supports automatic rendering to multiple forms of media such as print, Intranet, Internet, and OLE embedding.” This has little or no relationship to and doesn’t make obvious the invention novelties of claims 1-20. A review of the cited portions of Orr reveals that besides using some words and/or phrases that may be common with words and/or phrases of Claims 1-20, this entire and/or cited portions of Orr do not allude to and are

not useful for backup or justification for making the invention in Claims 1, 6, 8 and 12 obvious. Thus claims 1-20 are allowable over the cited art.

Regarding claims 1,6,8 and 12, Orr suggests means for selecting the display elements based ... exceed a required display area. The examiner characterizes the applicants invention as a means for creating a digest, in which a document the layout of which is predetermined by a creator, is transformed to make certain that the transformed document is fitted within a display area required by a reader, where the layout of the document (which can be a web page) is predetermined by the creator and then is transformed to fit within the display area by the reader, where the display content of the digest screen be changed in response to the operation of the user, a browsing environment capable of sensitively coping with a users wish (see Applicants specification, pages 5-6, summary of the invention section).

In response, the applicant respectfully states that indeed the applicants specification, pages 5-6, summary of the invention section includes words cited above. However, that does not construe or limit the claims as indicated above. The manner that this is construed is apparently in order to support citing the referenced art.

For example Orr discloses a design for automatic reformatting for design and media, which fits content to media, where new content is added to the composition (ie., a newsletter), content is readjusted in order to make the information fit within the desired media (col. 39, lines 35- 67) based on a priority from the priority list (col. 35, lines 21-25), represented in the selected media (ie. printed page, screen, HTML, etc.) and position text and graphics, change type specifications, jump stories and make other needed adjustments to the layout to make it automatically fit to make the design look good (col. 5, lines 57 - col. 6, line 8).

Orr does not expressly teach merging relationship among regions ... included in the document, but with Orr's teachings, it would have been obvious to one of ordinary skill in the art.

For example, Orr discloses components being placed in a location that overlaps within the region occupied by the parent component, yet in a different orientation (col. 30, line 60 - col. 31, line 5). Orr's overlapping disclosure is similar to the instant application's functionality of the means of merging regions. Orr describes a media tree with text areas and image areas, which are the media regions as components of the page (col. 28, line 40 - col. 29, line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col. 30, line 59- col. 31, line 4). Orr's disclosure reformats a page to fit into various media, while maintaining all of the substantive layout out of the components. This disclosure is functionally equivalent to the desired goals of the current application (as characterized by examiner above).

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Orr to include placing components in a location that overlaps within the region occupied by the parent, yet in a different orientations as equivalent as taught by Orr to a merging relationship, providing the benefit of having the user author a document once and then having a system to adapt the document automatically for changes in the design or output media while maintaining the relationships between content elements of the document (col. 2, lines 43-47) .

In response, the applicant respectfully states that indeed Orr does not teach merging relationship among regions *as in the claims*. *The alleged equivalence of what Orr does teach, to merging relationship among regions in the present invention is not supported by the example above. Orr's overlapping disclosure is indeed not similar to the instant application's functionality of the means of merging regions.*

Also, exception is taken with the so called equivalency of Orr and the elements in claims 1, 6, 8 and 12. For example, claim 1 reads:

1. An information processing apparatus comprising means for creating a digest of a document a layout of which is determined, the document including a plurality of regions, each region including one or more display elements, the means for creating comprising:
 - means for selecting the display elements based on display priorities of the display elements, and for deciding all of selected display elements as a display content of a digest screen under a condition where a total display area of all of the selected display elements does not exceed a required display area; and
 - means for setting a merging relationship among the regions by deciding a merging region, with which a region not being displayed on the digest screen is merged, from among regions displayed on the digest screen based on layout information for the regions in the document, all of the regions being included in the document.

The 'means for selecting' and the 'means for setting a merging relationship' as are the other elements of Claims 1, 6, 8 and 12 are "for creating a digest of a document a layout of which is determined, the document including a plurality of regions, each region including one or more display elements." Any alleged so called equivalencies with the 'means for selecting' or 'setting' etc., in Orr, are for a method that "changes the design of a composition having a current design

that is rendered in a particular medium." For example, the cited portion of Orr (col. 39, lines 35-67) reads.

FIG. 33 now describes the fit content to media step 520 of FIG. 29. At this point in FIG. 29, new content has been added to the composition. But because most media is limited in some sense (i.e., paper media may be limited to a certain number of pages), it may be necessary to either readjust the content, the design or the media of the composition in order to make the information fit within the media. The information may be adjusted to fit within the desired media in a wide variety of manners. By way of example, the design may be readjusted to allow the content to fit within the available media. Alternatively, the media may be adjusted, i.e. the media may be lengthened, in order to allow the content to fit within the media. That is, the number of pages in a document may be changed, or the calculation of the media divisions may dictate a different layout. Also, the content itself may be adjusted in some fashion to fit within a defined media region. For example, a filler image may be clipped from a larger stock image in order to make everything fit within a page. It should be appreciated that any one these techniques may be used by itself, or in conjunction with the other techniques. Step 520 describes a method for fitting the information of a composition into a media region by adjusting the content and design.

Once new content has been added to a composition, there may be a variety of reasons why the overall content of the composition must be adjusted in order to fit it within the available media. For example, if a page of text is nearly full and a picture is dropped onto this page, the design tree will be changed because a new component is created for the picture. In this situation, not only are the design tree and the content tree changed, but also the media tree will have new regions calculated for the newly dropped picture. In another"

Besides using some words and/or phrases that may be common with to Claims 1, 6, 8 and 12, this entire portion of Orr does not allude to and is not useful for making the invention in Claims 1, 6, 8 and 12 obvious. The office communications statement below actually shows the opposite to 'obviousness' or he lack of equivalency with Orr and claim 1. Actually, there is no inventive

commonality between Orr and claims 1-20. Thus exception is taken with the office communication statement:

For example, Orr discloses a design for automatic reformatting for design and media, which fits content to media, where new content is added to the composition, content is readjusted in order to make the information fit within the desired media (col. 39, lines 35-67) based on a priority from the priority list (col. 35, lines 21-25). Orr does not expressly teach means for setting a merging relationship among regions ... included in the document, but with Orr's teachings, it would have been obvious to one of ordinary skill in the art. For example, Orr discloses components being placed in a location that overlaps within the region occupied by the parent component, yet in a different orientation (col. 30, line 60 - col.

31, line 5).

The placement of overlap is not related to the regions in claims 1-20. Applicant takes particular exception with the statement in the office communication:

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Orr to include placing components in a location that overlaps within the region occupied by the parent, yet in a different orientations as equivalent as taught by Orr to a merging relationship, providing the benefit of having the user author a document once and then having a system to adapt the document automatically for changes in the design or output media while maintaining the relationships between content elements of the document (col. 2, lines 43-47).

Review of this portion reveals that Orr is not related to the present claimed invention. Orr's "design for automatic reformatting for design and media, which fits content to media, where new content is added to the composition, content is readjusted in order to make the information fit within the desired media (col. 39, lines 35-67) based on a priority from the priority list," does not do the functions of the means for selecting and/or 'setting' of Claims 1-20. The alleged obviousness statement is relying Orr which is not related to the elements in Claims 1, 6, 8 and 12. Indeed it would not be obvious to use Orr as a backdrop to make Claims 1, 6, 8 and 12 obvious. Furthermore, applicant takes exception with and requests backup for statement of the alleged obviousness. Thus Claims 1, 6, 8 and 12 are not made obvious by the augmentation with Orr, and are allowable.

The cited portions of Orr do not allude or make obvious,

means for selecting the display elements based on display priorities of the display elements,

means for deciding all of selected display elements as a display content of a digest screen under a condition where a total display area of all of the selected display elements does not exceed a required display area;

any relationship

any merging relationship,

any means for setting a merging relationship among the regions

means for deciding a merging region,

means for which a region not being displayed on the digest screen is merged,

means for merging regions from among regions displayed on the digest screen based on layout information for the regions in the document, all of the regions being included in the document.

Thus Orr does not make Claims 1, 6, 8 and 12 obvious and all are allowable, as are all claims that depend upon these allowable claims

Regarding claims 2, 9, 13 and 20, Orr suggests means for deciding ... displayed regions is required For example, when a child component is being placed at a distance from the region occupied by the parent components, a decision has to be made such as left-hand side or a right-hand side of the region to display the component (col. 30, line 60 - col. 31, line 4.

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claims 2, 9 and 13. For example, claim 2 reads:

2. (Original) The information processing apparatus according to claim 1, further comprising means for deciding, as a display content of a detail screen, a region group including the regions displayed on the digest screen and the region merged with the displayed regions in response to that a detail display of the displayed regions is required.

Review of this portion reveals that Orr is not related to the present claimed invention. Orr's "when a child component is being placed at a distance from the region occupied by the parent components, a decision has to be made such as left- hand side or a right-hand side of the region to display the component (col. 30, line 60 - col. 31, line 4)," bears no relationship to the elements in claims 2, 9 and 13. Orr (col. 30, line 60 - col. 31, line 4), reads:

FIG. 25d is an example of a child component 414 being placed in a location that overlaps with the region occupied by the parent component 416. FIG. 25e is an example of a child component 418 placed within the region occupied by the parent component 420 yet in a

different orientation to that of the parent. FIG. 25f is an example of a child component 422 being placed at a distance from the region occupied by the parent component 424. A child component may also coincide completely with the region occupied by the parent component, or may occupy any portion of the region of the parent component, such as a left-hand side or a right-hand side”

This has little or no relationship to “means for deciding, as a display content of a detail screen, a region group including the regions displayed on the digest screen and the region merged with the displayed regions in response to that a detail display of the displayed regions is required,” as in claim 2. Orr does not do the functions of the means for selecting and/or ‘setting’ and/or ‘deciding’ etc., of Claims 1-20. The alleged obviousness statement is relying Orr which is not related to the elements in claims 2, 9, 13 and 20. Indeed it would not be obvious to use Orr as a basis to make claims 2, 9, 13 and 20 obvious. Thus claims 2, 9, 13 and 20 are allowable each for itself and because each depends on an allowable claim.

Regarding 3,10 and 14, Orr suggests means for creating control ... required display area. For example, most media is limited and adjustment may be needed to make the media fit ‘within’ the media (col. 39, lines 35-45) The concept of ‘within suggest that more content of media exists that there is space allocated for it, which is equivalent to the claim language ‘too large to fit in the required display area’.

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claims 3, 10 and 14. For example, claim 3 reads:

3. (Original) The information processing apparatus according to claim 2, further comprising means for creating control information for controlling a display of the detail screen, wherein the means for deciding the display content of the detail screen creates a digest of the detail screen based on the control information when the region group is too large to fit in the required display area.

The so called suggestion by Orr of ‘means for creating’ is in fact apparently not so. Orr (col. 39, lines 35-45) reads:

FIG. 33 now describes the fit content to media step 520 of FIG. 29. At this point in FIG. 29, new content has been added to the composition. But because most media is limited in some sense (i.e., paper media may be limited to a certain number of pages), it may be necessary to either readjust the content, the design or the media of the composition in order to make the information fit within the media. The information may be adjusted to fit

within the desired media in a wide variety of manners. By way of example, the design may be readjusted to allow the content to fit within the available media. This has no relation to “means for creating control information for controlling a display of the detail screen, wherein the means for deciding the display content of the detail screen creates a digest of the detail screen based on the control information when the region group is too large to fit in the required display area,” in claim 3. Thus claims 3, 10 and 14 are allowable over Orr.

Regarding claims 4,11 and 15, Orr teaches means for deciding the display operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic, upon initiation by the author (col. 2, lines 43-47).

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claims 4, 11 and 15. A review of the cited portion of Orr has little or no relationship to the claimed invention. Thus claims 4, 11 and 15 are allowable over Orr.

Regarding claim 5, Orr suggests changing means ... operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic upon initiation by the author (col. 2, lines 43-47).

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claim 5. A review of the cited portion of Orr has little or no relationship to the claimed invention. Thus claim 5 is allowable over Orr.

Regarding claim 7, Orr suggests means for arraying .. predetermined criterion; means for obtaining a ratio ... length of the region; and means for dividing... of the display elements Based on the broadest reasonable interpretation of the claim, the Examiner interprets the concept of the claim as equivalent to performing calculations on the displayed elements and whitespace, in order to provide an interface that is optimally fit for the display legion while maintaining referential integrity. Although Orr does not use the express language of the claim such as 'arrayed display elements', Orr does suggest the conceptual quest of the claim language when viewed with the broadest reasonable interpretation under the specification. For example, based on the fixed properties, the image will adjust itself in order to fit in a particular region and will keep its aspect ratio and will automatically adjust its height in order to fit the region taking in consideration a user specification (col. 43, lines 4-14). Additionally, Orr does expressly disclose content scale factors for scaling content either up or down in order to assist in filling all of the content into the available media, including a white space scale factor (col. 40, lines 26-46).

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claim 7. A review of the cited portion of Orr has little or no relationship to the claimed invention. Orr has nothing equivalent to arrayed display elements, or the other elements in this claim. Thus claim 7 is allowable over Orr.

Regarding claims 16, 17,18 and 19, Orr teaches A computer program product causing a computer to effect the functions of claim ... On discloses processing of data by a computer system to automatic formatting of information for a change in design or a medium with persistent storage (col. 1, lines 5-9; col. 9, lines 58-65).

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claims 16, 17, 18 and 19. Orr makes no teaching for a “computer program product causing a computer to effect the functions of “ any claim. A review of the cited portion of Orr has little or no relationship to the claimed invention. claims 16, 17, 18 and 19 are Beauregard type claims not alluded to by Orr and are not made obvious by Orr. Thus claims 16, 17, 18 and 19 are allowable over Orr.

It is anticipated that this amendment shows that claims 1-20 are allowable over Orr.

Response to Arguments

Applicants arguments filed 6/31/2006 have been fully considered but they are not persuasive.

Regarding claims 1-19, Applicant argues against the use of the Orr reference. Specifically argues that Orr is not concerned with digest screen display content deciding means to select display elements belonging to respective regions of a document based on display priorities of the display elements (Remarks, page 9). Applicant argues that there is no inventive commonality between Orr and claims 1-20 (Remarks, page 12).. Applicant argues that Orr has no relation to the means for creating control information for controlling a display of the detail screen, wherein the means for deciding the display content of the detail screen creates a digest of the detail screen on the control information when the region group is too large to fit in the required display area (Remarks, page 14, bottom). The examiner disagrees. First, the examiner characterizes the applicant's invention as a means for creating a digest, in which a document, the layout of which is predetermined by a creator, is transformed to

make certain that the transformed document is fitted within a display area required by a reader, where the layout of the document (which can be a web pages is predetermined by the creator and then is transformed to fit within the display area by the reader, where the display content of the digest screen be changed in response to the operation of the user, a browsing environment capable of sensitively coping with a user's wish (see Applicant's specification, pages 5-6, summary of the invention section)

In response, the applicants respectfully states that exception is taken with the so called equivalency of Orr and the elements in claims *based on the characterization of the present invention using only "Applicant's specification, pages 5-6, summary of the invention section).*" *These are only small portions of the write-up and do not serve to characterize or limit the invention.*

Accordingly, the Orr reference discloses the applicant's invention. Orr discloses a design engine for automatic reformatting for design and media that will automatically fit content to the selected design (ie, a newsletter) represented in the selected media (ie., printed page, screen, HTML, etc.) and position text and graphics, change type specifications, jump stories and make other needed adjustments to the layout to make it automatically fit to make the design look good (col. 5, lines 57 - col. 6, line 8). Orr's disclosure reformats a page to fit into various media, while maintaining all of the substantive layout of the components. This disclosure is functionally equivalent to the desired goals of the current application (as characterized by examiner above).

Applicants respectfully states that the "accordingly" statement above is only based on the limited characterization of the claimed invention. Continued exception is taken with the so called equivalency of the claim elements and the cited portion of Orr.

Applicant argues that Orr's teaching of the placement of overlap is not related to the regions in claims 1-20 (Remarks, page 12). The examiner disagrees.

Orr's overlapping disclosure is similar to the instant application's functionality of the "means" of merging regions. On describes a media tree with text areas and image areas, which are the media regions as components of the page (col. 28 line 40 - col. 29 line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col. 30, line 59 - col. 31, line 4): The examiner characterizes Orr's media divisions as regions, which are automatically adjusted or reformatted to fit the content to the media (col. 32, lines 40-44). This disclosure is equivalent to the description of regions in the applicant's specification.

Applicants respectfully states that the statement above is only based on the limited characterization of the claimed invention. Continued exception is taken with the so called equivalency of the claim elements and the cited portion of Orr. Orr's overlap is not treated analogously to the merging of regions functionally or performance wise.

Additionally, applicant claims the means for selecting and means for setting a merging relationship (see claim 1) Orr teaches these means, like automatically adjusted or reformatted to fit the content to the media (col. 32, lines 40-44) provides the automatic means for selecting and decking how to adjust the content to a particular media and performing the necessary changes and reformatting to the layout of the content to make it fit. For the means for merging, Orr describes a media tree with text areas and image areas, which are the media regions as components of the page (col. 28, line 40 col. 29, line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col. 30, line 59 - col. 31, line 4) the tree provides a relationship that allows for future overlap or manipulation of child and parent components in order to fit content according to a layout option. This disclosure is equivalent to the description of regions in the applicants specification.

Applicants respectfully states that the statement above is only based on the limited characterization of the claimed invention. Continued exception is taken with the so called equivalency of the claim elements and the cited portion of Orr. Orr's 'fitting content' is not the functionally or performance of the selecting and merging means of the present claims.

Applicant argues against the obviousness statement in relying on Orr for claims 1-19 (page 13, top - page 16) and claims 2,9 and 13 because the applicant argues that Orr is not related to the present claimed invention. The examiner disagrees. Orr reference discloses the applicant's invention. On discloses a design engine for automatic reformatting for design and media that will automatically fit content to the selected design (ie., a newsletter) represented in the selected media (ie, printed page, screen, HTML, etc.) and position text and graphics, change type specifications, jump stories and make other needed adjustments to the layout to make it automatically fit to make the design look good (col. 5, lines 57 - col. 6, line 8). This disclosure is functionally equivalent to the desired goals of the current application (as characterized by examiner above).

Applicants respectfully states that the statement above is only based on the limited characterization of the claimed invention. Continued exception is taken with the so called equivalency of the claim elements and the cited portion of Orr. Indeed, Orr fails to allude to disclose applicants invention.

Applicant argues that Orr does not do the functions of the means for selecting and/or setting and/or deciding of claims 1-20 (page 14, top). The examiner disagrees, the applicant claims the means for selecting and means for setting a merging relationship (see claim 1). Orr teaches these means, like automatically adjusted or reformatted to fit the content to the media (col. 32, lines 40-44) provides the automatic means for selecting and deciding how to adjust the content to a particular media and performing the necessary changes and reformatting to the layout of the content to make it fit. For the means for merging, Orr describes a media tree with text areas and image areas, which are the media regions as components of the page (col. 28, line 40 - col. 29, line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col. 30, line 59 - col. 31, line 4).

The tree provides a relationship that allows for future overlap or manipulation of child and parent components in order to fit content according to a layout option. This disclosure is equivalent to the description of regions in the applicant's specification.

Applicants respectfully states that the statement above is apparently only based on the limited characterization of the claimed invention. Continued exception is taken with the so called equivalency of the claim elements and the cited portion of Orr. The office communication is bending over to allegedly find elements of the present claims in Orr. The tree of Orr is not related to a 'merging relationship' of the present claims. Thus claims 1-20 are allowable over Orr.

It is anticipated that this amendment brings claims 1-20 to allowance. If any question remains, please contact the undersigned. Please charge any fee necessary to enter this paper to deposit account 50-0510.

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